

## **REMARKS**

This amendment after final action and request for reconsideration is filed in response to the FINAL Office Action mailed on March 17, 2011. The above claim changes proposed under 37 C.F.R. § 1.116 would result in the cancellation of all the rejected subject matter in the claims. The remaining claims would then only cover the allowable subject matter according to page 5 of the final Office Action. The changes required to renumber the claims due to the omission of dependent method claims 23 and 24 from the amendment filed on June 11, 2007 have been indicated with brackets, strike-through, and underlining in the above listing of the claims.

### **I. Allowed and Rejected Claims**

No changes have been made in allowed claims 2 to 12, 18, and 20 to 22. These claims have been allowed according to item # 5 on the "Office Action Summary".

The rejected independent claims 1, 19, 25 (renumbered from 23), and 30 (renumbered from 28) have been canceled, so that the above-

identified U.S. Patent Application can be allowed in an expeditious manner.

## **II. Additional Allowable Subject Matter**

Claims 26 and 31 (renumbered from 24 and 29) were found to contain allowable subject matter according to paragraph 8 for the reasons in paragraph 9 on page 5 of the final office Action.

Entry of the above changes in claims 26 and 31 is respectfully requested because they put claims 26 and 31 in a condition ready for allowance by including the subject matter of the respective claims on which they depended in accordance with the decision in paragraph 8 of the Office Action.

Also the changes proposed in dependent claims 27 to 29, 32, and 33 put these dependent claims in a condition for allowance, because they would then depend on the allowable amended claims 26 and 31.

According to 37 C.F.R. § 1.116, (b), (1) & (2), the aforesaid claim changes should be entered, because they put these claims in a condition for allowance.

### **III. Dependent Claims 23 and 24**

Dependent claims 23 and 24, which were omitted from the previous claim listing in the supplemental amendment, have been canceled. These claims have been canceled because they partially duplicate subject matter in other claims and because their wording would conflict with the wording in the amended independent claim 20.

### **IV. Applicants' Response to the Reasons for Rejecting the Canceled Claims**

Claims 1, 19, 25 (renumbered from 23), and 30 (renumbered from 28) and various dependent claims, which depend on the aforesaid canceled independent claims, were rejected as anticipated by US 6,005,691.

Applicants do not intend to contest the aforesaid anticipation rejection, because they want a Patent to issue from the above-identified U.S. Patent Application in an expeditious manner with the claims that cover the allowable subject matter indicated in the final Office Action.

However applicants' respectfully disagree with the reasons for the anticipation rejection, particularly the reasons presented in paragraph

11 of pages 6 to 8 of the final Office Action. Applicants' disagree with the evidence presented that a surface relief hologram can store data in the form of a volume hologram. Rich does not disclose that a contoured surface forms a volume hologram. The DOE 102 of Rich contains a volume hologram element 124, which is only affected by the diffractive feature at the boundary 112 (see column 9, line 16, to column 11, line 9 of Rich).

Furthermore if evidentiary facts are required to support the anticipation rejection based on Grot, then the references that provided those facts should have been included in the statement of the rejection on page 2 of the Office Action.

In addition, the feature "the inner surface facing the core layer and having a roughness before lamination to the core layer that causes a wavelength shift of the image reconstructed from the volume hologram" is indeed not disclosed in Grot, because the layer 117 is only a protective layer and does not constitute a volume hologram. According to the applicants' claimed invention the core layer comprises a holographic data memory (from which the volume hologram is reconstructed).

Nevertheless entry of the claim changes canceling the rejected subject matter and favorable allowance of the above-identified U.S. Patent Application are respectfully solicited.

Should the Examiner require or consider it advisable that the specification, claims and/or drawing be further amended or corrected in formal respects to put this case in condition for final allowance, then it is requested that such amendments or corrections be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance the Examiner is invited to telephone the undersigned at 1-631-549-4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Striker", with a long horizontal flourish extending to the right.

Michael J. Striker,  
Attorney for the Applicants

Reg. No. 27,233